

VILLAGE OF BRADLEY

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ORDINANCE NO. 005-22-03

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE VILLAGE OF BRADLEY  
ZONING ORDINANCE (CHAPTER 60 (ZONING))

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ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BRADLEY

THIS 9<sup>th</sup> DAY OF May, 2022

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Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,  
Kankakee County, Illinois this 9<sup>th</sup> day of May, 2022

ORDINANCE NO. 005-22-03

**AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE VILLAGE OF  
BRADLEY ZONING ORDINANCE (CHAPTER 60 (ZONING))**

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**WHEREAS**, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, pursuant to Article 11, Division 13 of the Illinois Municipal Code (65 ILCS 11-13-1, *et seq.*) the Corporate Authorities of the Village have authority to enact zoning ordinances that regulate land use within the Village; and

**WHEREAS**, the Corporate Authorities of the Village previously exercised this authority, enacting Chapter 60 (Zoning) of the Bradley Village Code (the “Bradley Zoning Ordinance”); and

**WHEREAS**, the Village previously proposed certain amendments to the Bradley Zoning Ordinance:

1. To include lawn mower repair shops within the definition of the existing “automobile repair, minor,” use; and
2. To limit the size of detached garages to fifteen percent (15%) of the maximum permitted lot coverage on any given zoning lot; and
3. To increase the maximum permitted lot coverage in the R4 (Single-Family Residence) district to fifty percent (50%); and
4. To permit the out-door storage of containers and vehicles in the M (Industrial) district; and
5. To authorize a variance to the maximum height of fences and screening walls in the M (Industrial) district of up to eighteen (18) feet (collectively the “Proposed Amendments”).

**WHEREAS**, the Proposed Amendments were submitted to the Planning and Zoning Commission (the “Plan Commission”) for its review and consideration and for the purposes of holding a public hearing thereon; and

**WHEREAS**, the Plan Commission held a public hearing to consider the Proposed Amendments on May 3, 2022, with notice having been properly given for the same, and at that time made all findings of fact required by and pursuant to the Village Code; and

**WHEREAS**, the Plan Commission has recommended that the President and Board of Trustees amend the Bradley Zoning Ordinance as set forth in this Ordinance; and

**WHEREAS**, the Plan Commission has supported its recommendation by setting forth its findings of fact in accordance with the requirements of the Village Code (a copy of the Plan Commission's findings of fact and recommendation of approval is attached hereto as Exhibit A and fully incorporated herein); and

**WHEREAS**, the President and Board of Trustees of the Village hereby approve and adopt the Plan Commission's findings of fact; and

**WHEREAS**, the President and Board of Trustees of the Village have determined that amending the Bradley Zoning Ordinance as set forth in this Ordinance is in the best interests of the Village and its citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:**

**SECTION 1.** The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

**SECTION 2.** Chapter 60 (Zoning), Article I (In General), Section 60-4 (Definitions) is hereby amended in part to read as follows:

**Sec. 60-4. Definitions.**

For the purposes of this chapter, and the interpretation and enforcement thereof, the following terms, phrases, words and their derivations shall have the meanings given herein, unless the context in which they are used shall indicate otherwise. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number. The words "shall" and "will" are mandatory and the word "may" is permissive. Words not defined shall be given their common and ordinary meaning:

\* \* \*

*Automobile repair, minor*, means the incidental repair, replacement of parts and motor service to automobiles, but not including any operation specified under the term "automobile repair, major." "Automobile repair, minor," also includes, without limitation, lawn mower repair shops and all activities normally associated therewith.

\* \* \*

*Lawn Mower* means all motorized lawn mowers, including but not limited to all self-propelled and riding lawn mowers.

*Lawn Mower Repair Shop* means any place where lawn mowers are repaired for a charge and any place where the work of repairing lawn mowers is carried on as an

incident to the business of selling new or used lawn mowers or new or used lawn mower parts or as an incident to any other traffic in lawn mowers or their parts or equipment.

\* \* \*

**SECTION 3.** Chapter 60 (Zoning), Article I (In General), Section 60-18 (Accessory Building, Structures and Uses) is hereby amended in part to read as follows:

**Sec. 60-18. Accessory building, structures and uses.**

\* \* \*

- (h) The maximum size for a detached garage shall be equal to and shall not exceed fifteen percent (15%) of the maximum lot coverage permitted in the zoning district wherein said garage is located, with a maximum height of 14 feet.

\* \* \*

**SECTION 4.** Chapter 60 (Zoning), Article IV (Residence Districts), Section 60-124 (R-4 Single Family Residence District) is hereby amended in part to read as follows:

**Sec. 60-124. R-4 single-family residence district.**

The R-4 single-family residence district as of the adoption date of the ordinance from which this chapter is derived is established only to apply to lots of record in the districts delineated on the official zoning district map.

\* \* \*

- (7) Maximum lot coverage. Not more than fifty percent (50%) of the lot area may be occupied by buildings and structures, including accessory buildings or covered by walks, driveways or patios. The balance of the remaining portions of the zoning lot shall be suitably landscaped.

\* \* \*

**SECTION 5.** Chapter 60 (Zoning), Article VI (Industrial District), Section 60-179 (M Industrial District Uses; Requirements) is hereby amended in part to read as follows:

**Sec. 60-179. - M industrial district uses; requirements.**

The M industrial district is intended to provide an environment suitable for and limited to light manufacturing that will not have an adverse effect upon the environmental quality of the community.

- (1) Permitted uses. A building or premises shall be used only for the following permitted uses:

\* \* \*

- z. Open (out-door) storage of products, materials, and equipment, including containers and vehicles, but only when fully screened and/or fenced in compliance with this Article.

\* \* \*

- (2) Special uses. The following uses may be allowed by special use permit in accordance with the provisions of Article VIII of this Chapter:

\* \* \*

- v. Reserved.

\* \* \*

**SECTION 6.** Chapter 60 (Zoning), Article VIII (Administration), Division 6 (Variances), Section 60-369 (Authorized Variations) is hereby amended in part to read as follows:

**Sec. 60-369. - Authorized variations.**

Variations from the regulations of this chapter shall be granted by the village president and the board of trustees only in accordance with the standards set forth in this section, and may be granted only in the following instances and no others:

\* \* \*

- (13) To permit the construction, maintenance, and use of fences and screening walls on any lot zoned M (Industrial) and not used for any residential purpose that are in excess of eight (8) feet in height, provided that no such fence shall be permitted in excess of eighteen (18) feet in height.

\* \* \*

**SECTION 7.** In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

**SECTION 8.** That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

**SECTION 9.** That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

**SECTION 10.** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**PASSED** by the Board of Trustees on a roll call vote on the 9<sup>th</sup> day of May, 2022.

**TRUSTEES:**

RYAN LEBRAN	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
BRIAN BILLINGSLEY	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
DARREN WESTPHAL	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
BRIAN TIERI	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
GRANT D. VANDENHOUT	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
GENE JORDAN	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>

**VILLAGE PRESIDENT:**

MICHAEL WATSON      Aye -           Nay -           Absent -     

**TOTALS:**              Aye - 6      Nay - 0      Absent - 0

**ATTEST:**

Julie Tambling  
JULIE TAMBLING, VILLAGE CLERK

**APPROVED** this 9<sup>th</sup> day of May, 2022.

Michael Watson  
MICHAEL WATSON, VILLAGE PRESIDENT

**ATTEST:**

Julie Tambling  
JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS        )  
  )  
COUNTY OF KANKAKEE    )        §§

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 005-2203 "AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE VILLAGE OF BRADLEY ZONING ORDINANCE (CHAPTER 60 (ZONING))," which was adopted by the Village Corporate Authorities at a meeting held on the 9<sup>th</sup> day of May, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 9<sup>th</sup> day of May, 2022.

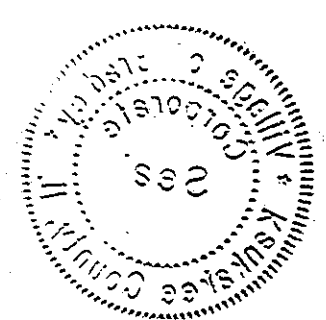
Julie Tambling  
JULIE TAMBLING, VILLAGE CLERK



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John W. ...





# **Exhibit A**

**FINDINGS OF FACT AND RECOMMENDATION OF APPROVAL FOR CERTAIN  
PROPOSED TEXT AMENDMENTS TO THE BRADLEY ZONING ORDINANCE.**

On Tuesday, May 3, 2022, at 6:30 p.m., at the Bradley Village Hall, 147 S. Michigan Avenue, Bradley, Illinois 60915, the Village of Bradley Planning and Zoning Commission conducted a public hearing, with public notice having been duly given for the same. At that hearing, the Planning and Zoning Commission considered whether to recommend approval or denial of certain proposed text amendments that would amend certain provisions of the Bradley Zoning Ordinance:

1. To include lawn mower repair shops within the definition of the existing "automobile repair, minor." use; and
2. To limit the size of detached garages to fifteen percent (15%) of the maximum permitted lot coverage on any given zoning lot; and
3. To increase the maximum permitted lot coverage in the R4 (Single-Family Residence) district to fifty percent (50%); and
4. To permit the out-door storage of containers and vehicles in the M (Industrial) district; and
5. To authorize a variance to the maximum height of fences and screening walls in the M (Industrial) district of up to eighteen (18) feet (collectively the "Amendments").

Having heard and considered all of the evidence presented at the hearing and being fully advised in the premises, the Planning and Zoning Commission hereby recommends that the Corporate Authorities of the Village approve and adopt the Amendments.

**PASSED** this 3<sup>rd</sup> day of May, 2022, by roll call vote.

	Aye	Nay	Absent
Ryland Gagnon (Chairman)	<u>  X  </u>	<u>      </u>	<u>      </u>
Charlene Eads (Secretary)	<u>      </u>	<u>      </u>	<u>  X  </u>
Mike Dauphin	<u>  X  </u>	<u>      </u>	<u>      </u>
James Guiss	<u>  X  </u>	<u>      </u>	<u>      </u>
Rick White	<u>  X  </u>	<u>      </u>	<u>      </u>
Bill Bodemer	<u>      </u>	<u>      </u>	<u>  X  </u>
Michael Williams	<u>  X  </u>	<u>      </u>	<u>      </u>



# Agenda Cover Memorandum

**Meeting Date:** May 9th, 2022

**Fiscal Year:** 2022

**Agenda Item:** An Ordinance amending various provisions of the village of Bradley Zoning Ordinance(Chapter60(zoning)

**Item Type:**  Ordinance  Resolution  Other

**Action Requested:**  Approval  First Reading  For Discussion  Informational

**Staff Contact:** **Name:** Bruce Page - Director Community Development Department

**Phone:** 815-936-5100 ext. 1111

**Email:** bepage@bradleyil.org

Internal Review
Initials
Date

1. **Summary:** To include lawn mower repair shops with automobile repair, minor definition will allow for the Village to be able to regulate and permit the operation of such shops.
2. To limit the size of detached garages to 15% of the maximum permitted lot coverage on any given zoning lot. This amendment will allow for an equitable distribution of garage space for all of the various residential zoned lots located thru out the Village by allowing for an increase of the current detached square footage maximum of 784 square feet allowed by current ordinance.
3. To increase the maximum permitted lot coverage in the R-4 (single family Residence) district to 50%( from 45%). This will also allow for an equitable % of lot coverage across the residentially zoned lots within the village.
4. To permit outdoor storage of containers and vehicles in the M (Industrial) district, This will allow this use to be a permitted use instead of a special use as required now.
5. To authorize a variance to the maximum height of fences and screening walls in the M(Industrial) district up to 18 feet. This increase of 4 feet has been suggested to allow for coverage of containers and other possible machinery to be stored in the district.

Is this a budgeted item?  Yes  No  Requires Budget Amendment

Line Item: Title:

Amount Budgeted: